

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Applicant : Alexander K. Khairkhahan et al.)
)
 App. No. : 10/033,371)
)
 Filed : October 19, 2001)
)
 For : ADJUSTABLE LEFT ATRIAL)
 APPENDAGE OCCLUSION DEVICE)
)
 Examiner : Unknown)
)

ESTABLISHMENT OF RIGHT OF ASSIGNEE TO TAKE ACTION
AND
REVOCATION AND POWER OF ATTORNEY

United States Patent and Trademark Office
 P.O. Box 2327
 Arlington, VA 22202

Dear Sir:

The undersigned is empowered to act on behalf of the assignee below (the "Assignee"). A true copy of the original Assignment of the above-captioned application from the inventors to the Assignee is attached hereto. This Assignment represents the entire chain of title of this invention from the Inventors to the Assignee.

I declare that all statements made herein are true, and that all statements made upon information and belief are believed to be true, and further, that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that willful, false statements may jeopardize the validity of the application, or any patent issuing thereon.

The undersigned hereby revokes any previous powers of attorney in the subject application, and hereby appoints the registrants of Knobbe, Martens, Olson & Bear, LLP, 620 Newport Center Drive, Sixteenth Floor, Newport Beach, California 92660, Telephone (949) 760-0404, Customer No. 20,995, as its attorneys with full power of substitution and

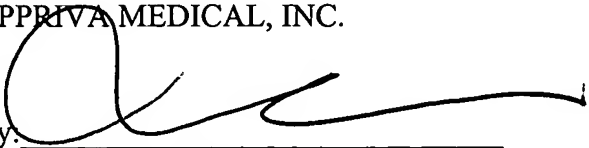
App. No. : 10/033,371
Filed : October 19, 2001

revocation to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected herewith. This appointment is to be to the exclusion of the inventors and his attorney(s) in accordance with the provisions of 37 C.F.R. § 3.71.

Please use **Customer No. 20,995** for all communications.

APPRIVA MEDICAL, INC.

Dated: 4/2/02

By: 
Michael D. Lesh, M.D.

Title: Chairman & Chief Executive Officer

Address: 777 North Pastoria Avenue
Sunnyvale, CA 94086

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031502

COPY

PATENT

Application No.: 10/033,371
Filing Date: February 1, 2002

Client Code: MVMDINC.001CP2
Page 1

ASSIGNMENT

WHEREAS, We, Alexander K. Khairkhahan, a United States citizen, residing at 1105 Lincoln Avenue, Palo Alto, CA 94301, Andrew G.C. Frazier, a United States citizen, residing at 248 Pamela Drive, #29, Mountain View, CA 94040; Alan R. Klenk, a United States citizen, residing at 4851 Clarendon Drive, San Jose, CA 95129; Marc S. Kreidler, a United States citizen, residing a, have invented certain new and useful improvements in a ADJUSTABLE LEFT ATRIAL APPENDAGE OCCLUSION DEVICE for which we have filed an application for Letters Patent in the United States, Application No. 10/033,371 filed on October 19, 2001;

AND WHEREAS, Appriva Medical, Inc. (hereinafter "ASSIGNEE"), a California Corporation, with its principal place of business at 777 North Pastoria Avenue, Sunnyvale, CA 94086, desires to acquire the entire right, title, and interest in and to the said improvements and the said Application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to me in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said inventors, do hereby acknowledge that we have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, the entire right, title, and interest throughout the world in, to and under the said improvements, and the said application and all provisional applications relating thereto, and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions and applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and we hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 28th day of March, 2002


Alexander K. Khairkhahan

STATE OF CALIFORNIA

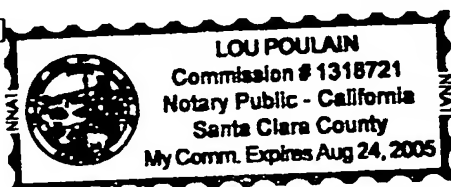
COUNTY OF SANTA CLARA

ss.

On March 28, 2002, before me, Lou Poulain, Notary Public, personally appeared Alexander K. Khairkhahan personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]





Notary Signature

Application No.: 10/033,371
Filing Date: February 1, 2002

Client Code: MVMDINC.001CP2

Page 2

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 27 day of March, 2002.



Andrew G.C. Frazier

STATE OF CALIFORNIA

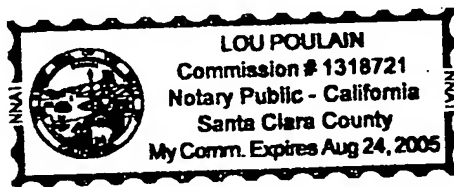
COUNTY OF SANTA CLARA

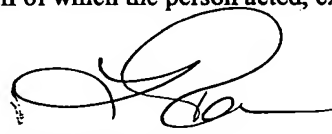
} ss.

On March 27, 2002, before me, Lou Poulain, Notary Public, personally appeared Andrew G.C. Frazier personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.


[SEAL]





Notary Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 27 day of March, 2002.



Alan R. Klenk

STATE OF CALIFORNIA

COUNTY OF SANTA CLARA


} ss.

On March 27, 2002, before me, Lou Poulain, Notary Public, personally appeared Alan R. Klenk personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]





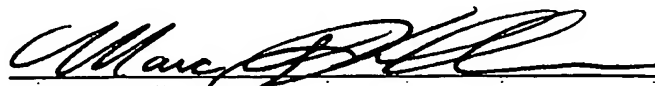
Notary Signature

Application No.: 10/033,371
Filing Date: February 1, 2002

Client Code: MVMDINC.001CP2

Page 3

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 27 day of March, 2002


Marc S. Kreidler

STATE OF CALIFORNIA

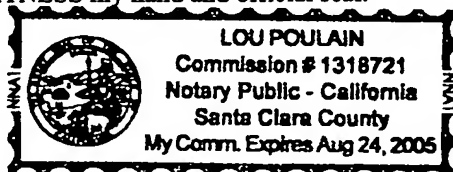
COUNTY OF SANTA CLARA


] ss.

On March 27, 2002, before me, Lou Poulain, Notary Public, personally appeared Marc S. Kreidler personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

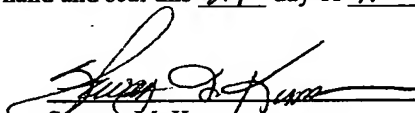
WITNESS my hand and official seal.

[SEAL]




Notary Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 27th day of March, 2002


Stewart M. Kume

STATE OF CALIFORNIA

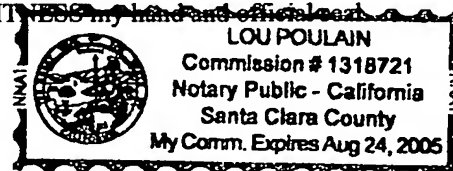
COUNTY OF SANTA CLARA

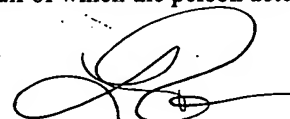
] ss.

On March 27, 2002, before me, Lou Poulain, Notary Public, personally appeared Stewart M. Kume personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]




Notary Signature

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Page 4

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 27 day of MARCH, 2002



Darrell H. Ogi

STATE OF CALIFORNIA

COUNTY OF SANTA CLARA

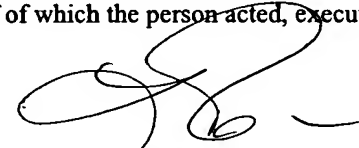
] ss.

On March 27, 2002, before me, Lou Poulain, Notary Public, personally appeared Darrell H. Ogi personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]





Notary Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 27th day of March, 2002



Chad C. Roue

STATE OF CALIFORNIA

COUNTY OF SANTA CLARA

] ss.

On March 27, 2002, before me, Lou Poulain, Notary Public, personally appeared Chad C. Roue personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.


[SEAL]





Notary Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 27 day of MARCH, 2002


Erik J. van der Burg

STATE OF CALIFORNIA

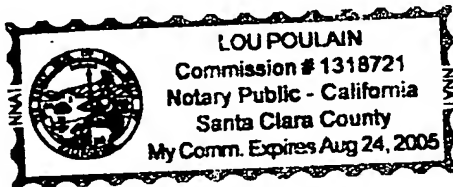
COUNTY OF SANTA CLARA

ss.

On March 27, 2002, before me, Lou Poulain, Notary Public, personally appeared Erik J. van der Burg personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]




Notary Signature